IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1327 OF 2005
IN
SUIT NO. 774 OF 2003

Smt. Kirti Vaswani.] .. Plaintiff

Versus

Fairjet Twitstx Pvt. Ltd.] .. Defendant

Mr.S.L. Kanuga i/b Sapnath Nath for the plaintiff.

None for the defendant.

CORAM: ANOOP V. MOHTA, J.

DATED: 18TH MARCH, 2006

P.C. :

. This Notice of Motion has been taken out by the plaintiff praying to pass a decree in view of the fact that the defendant failed to file Written Statement. The plaintiff has invoked the provisions of Order VIII Rule 10, Civil Procedure Code for the same. The undisputed position itself is sufficient for the appropriate Bench to pass appropriate order or decree in view of the fact that the defendant failed to file Written Statement for more than ten months even though so directed by order dated 18th June, 2004. However, this relief cannot be granted by way of Notice of

Motion. The appropriate Court will pass appropriate orders when matter is listed for final hearing of the suit.

2. Notice of Motion accordingly disposed of.

Sd/-
[ANOOP V. MOHTA, J.]